

1 Jeffrey M. Feldman (AK Bar No. 7605029)
2 SUMMIT LAW GROUP PLLC
3 315 Fifth Avenue South, Suite 1000
4 Seattle, WA 98104-2682
5 Phone: (206) 676-7000
6 jefff@summitlaw.com

7 Ralph H. Palumbo (WA Bar No. 4751)
8 Lynn M. Engel (WA Bar No. 21934)
9 (Pro Hac Vice applications pending)
10 YARMUTH LLP
11 1420 Fifth Avenue, Suite 1400
12 Seattle, WA 98101
13 Phone: (206) 516-3800
14 rpalumbo@yarmuth.com
15 lengel@yarmuth.com

16 *Attorneys for Bristol Bay Economic Development Corporation,*
17 *Bristol Bay Native Association, Inc. and Bristol Bay Reserve Association*

18 Megan R. Condon (AK Bar No. 1810096)
19 Matthew N. Newman (AK Bar No. 1305023)
20 NATIVE AMERICAN RIGHTS FUND
21 745 West 4th Avenue, Suite 502
22 Anchorage, AK 99501
23 Phone: (907) 276-0680
24 mcondon@narf.org
25 mnewman@narf.org

26 *Attorneys for United Tribes of Bristol Bay*

27 Scott Kendall (AK Bar. No. 0405019)
28 HOLMES, WEDDLE & BARCOTT
29 701 W. 8th Avenue, #700
30 Anchorage, AK 99501
31 Phone: (907) 274-0666
32 smkendall@hwb-law.com

33 *Attorney for Bristol Bay Regional*
34 *Seafood Development Association, Inc.*

1
2 **UNITED STATES DISTRICT COURT**
3 **FOR THE DISTRICT OF ALASKA**
4 **AT ANCHORAGE**

5 BRISTOL BAY ECONOMIC
6 DEVELOPMENT CORPORATION,
7 BRISTOL BAY NATIVE ASSOCIATION,
8 INC., UNITED TRIBES OF BRISTOL
9 BAY, BRISTOL BAY REGIONAL
SEAFOOD DEVELOPMENT
ASSOCIATION, INC., and BRISTOL BAY
RESERVE ASSOCIATION,

10 Plaintiffs,

11 v.

12 CHRIS HLADICK, in his official capacity
13 as Regional Administrator of the U.S.
14 Environmental Protection Agency,
15 Region 10; MATTHEW Z. LEOPOLD, in
16 his official capacity as General Counsel for
17 EPA and delegated authority of the
Administrator; U.S. ENVIRONMENTAL
PROTECTION AGENCY,

18 Defendants.
19

CASE NO. 3:19-CV-00265-TMB

**RESPONSE TO SALMONSTATE'S
MOTION TO CONSOLIDATE**

20
21 Plaintiffs Bristol Bay Economic Development Corporation, Bristol Bay Native
22 Association, United Tribes of Bristol Bay, Bristol Bay Regional Seafood Development
23 Association, Inc., and Bristol Bay Reserve Association (collectively, "Bristol Bay
24 Plaintiffs") concur in Plaintiff SalmonState's Motion to Consolidate, filed in *SalmonState*,
25 *et al. v. Hladick, et al.*, 3:19-cv- 00267-SLG (filed Oct. 9, 2019)("SalmonState Action").
26

RESPONSE TO SALMONSTATE'S MOTION TO
CONSOLIDATE - 2
CASE NO. 3:19-CV-00265-TMB

SUMMIT LAW GROUP PLLC
315 FIFTH AVENUE SOUTH, SUITE 1000
SEATTLE, WASHINGTON 98104-2682
Telephone: (206) 676-7000
Fax: (206) 676-7001

1 This case, the SalmonState Action and *Trout Unlimited v. U.S. Environmental Protection*
2 *Agency, et al.*, 3:19-cv-00268-TMB (filed Oct. 9, 2019) are related and involve common
3 issues of law and fact. Bristol Bay Plaintiffs agree to consolidation of these matters under
4 Local Rule 16.1 and Federal Rule of Civil Procedure 42. By operation of Local Rule
5 3.1(d), all three related cases should thus be reassigned to Judge Timothy Burgess, the
6 judge assigned to this case which was the first-filed case.
7

8
9 DATED this 14th day of October, 2019.

10 SUMMIT LAW GROUP PLLC
11 *Attorneys for Bristol Bay Economic*
12 *Development Corporation, Bristol Bay Native*
13 *Association, Inc. and Bristol Bay Reserve*
14 *Association*

15 By: s/ Jeffrey M. Feldman
16 Jeffrey M. Feldman (AK Bar No. 7605029)

17 YARMUTH LLP
18 *Also Attorneys for Bristol Bay Economic*
19 *Development Corporation, Bristol Bay Native*
20 *Association, Inc. and Bristol Bay Reserve*
21 *Association*

22 By: s/ Ralph H. Palumbo
23 Ralph H. Palumbo, *Pro Hac Vice pending*
24 (WA Bar No. 4751)

25 By: s/ Lynn M. Engel
26 Lynn M. Engel, *Pro Hac Vice pending*
(WA Bar No. 21934)

1 NATIVE AMERICAN RIGHTS FUND
2 *Attorneys for United Tribes of Bristol Bay*

3 By: s/ Megan R. Condon
4 Megan R. Condon (AK Bar No. 1810096)

5 By: s/ Matthew N. Newman
6 Matthew N. Newman (AK Bar No. 1305023)

7 HOLMES, WEDDLE & BARCOTT
8 *Attorney for Bristol Bay Regional*
9 *Seafood Development Association, Inc.*

10 By: s/ Scott Kendall
11 Scott Kendall (AK Bar. No. 0405019)